

**MINUTES  
MONTEREY PARK CITY COUNCIL  
SUCCESSOR AGENCY (SA)  
JUNE 19, 2019**

The City Council of the City of Monterey Park held a Regular Meeting of the Council in the Council Chamber, located at 320 West Newmark Avenue in the City of Monterey Park, Wednesday, June 19, 2019 at 7:00 p.m.

The minutes include items considered by the City Council acting on behalf of the Successor Agency of the former Monterey Park Redevelopment Agency, which dissolved February 1, 2012. Successor Agency matters will include the notation of "SA" next to the Agenda Item Number.

**CALL TO ORDER:**

Mayor Chan called the meeting to order at 7:02 p.m.

**FLAG SALUTE:**

The Monterey Park Police Explorers

**ROLL CALL:**

Deputy City Clerk Cindy Trang called the roll:

Council Members Present: Peter Chan, Mitchell Ing, Stephen Lam, Teresa Real Sebastian

**ALSO PRESENT:** City Manager Ron Bow, Assistant City Attorney Karl Berger, Fire Chief Scott Haberle, Director of Management Services Annie Yaung, Director of Public Works Mark McAvoy, Director of Recreation & Community Services Inez Alvarez, Director of Human Resources and Risk Management Tom Cody, City Librarian Diana Garcia, Police Captain Kelly Gordon, Assistant City Engineer Frank Lopez, Economic Development Project Manager Tom Welch, Park Superintendent Chris Reyes, Economic Development Specialist Donna Ramirez

**AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS**

Assistant City Attorney Berger reported that Open Session Item No. 1 from the June 19, 2019 Special meeting at 6:00 p.m. is carried over to the regular meeting.

**ORAL AND WRITTEN COMMUNICATIONS**

- Nancy Arcuri talked about the rules of decorum and expressed disappointment of the conduct of the audience in previous meetings. She urged the Council to consider placing the term limits ordinance back on the ballot.
- Sarkis Antonion said that the City should eliminate term limits since the city is transitioning to district voting.

**MISSION STATEMENT**

The mission of the City of Monterey Park is to provide excellent services to enhance the quality of life for our entire community

- Michael Drange, director of the Monterey Park Concert Band, said the coming Fourth of July performance will be their last performance due to the increasing costs required by the City. He requested Council to consider waiving the fees.
- Joseph Leon, City Treasurer and representative of the San Gabriel Valley Mosquito & Vector Control District, reported that there are no viruse based mosquitoes in the City. He reminded the community to get rid of standing water and stagnant water in the pools.
- Juanita Medina addressed the Sprit Bus contract and expressed the importance of continuing the service with routes going to the Market Place. She discouraged Lyft and Uber citing financial concerns.
- Paul Isozaki said there is an effort to recall Mayor Chan, Mayor Pro Tem Liang and would be Council Member Lam had his term not expire in 2020. He spoke of the history of the 3-2 voting trend and said the recall will break the cycle.
- Maychelle Yee spoke about the recall process. She alleged the inaccuracy in the Answer to the Notice of Intent and urged the Firefighters Association to remain neutral and leave the matter to the community to decide. Speaker Kailia Garfield forgode her speaking time to Maychelle Yee.
- Cindy Yee provided the history of her community involvement. She said she supported the recall. She said the city needs to improve the community prior to looking into new developments. She requested that the Council review current and past policies and the ramifications that district voting has caused. She encouraged the community to be actively involved in the recall. Speaker Lisa Vince Ramirez forgode his speaking time to Cindy Yee.
- David Barron encouraged the Council to revert the Lunar festival back to a community based festival rather than a commercial event.
- Delario Robinson spoke in opposition of the recall and asked the citizens not to vote for the recall. He said he has been in a leadership role for many years.
- Chih spoke in support of the senior housing development on Chandler Avenue, however, she urged the Council to allow one affordable unit for her.

**1. EMERGENCY REPAIR/REPLACEMENT OF WASTEWATER MAIN AND WATER MAIN IN ALLEY EAST OF ATLANTIC BLVD BETWEEN EL MERCADO AVENUE AND EL PORTAL PLACE**

A wastewater main collapse occurring on or about June 12, 2019 blocked wastewater flows from being conveyed. Currently, temporary pumping operations have been set up to keep local businesses and residents in service. Staff is meeting with several contractors to obtain bids to perform emergency wastewater

and water main repairs or replacement to reestablish wastewater flows and eliminate water leaks, which compound the wastewater issues.

**CEQA (California Environmental Quality Act):**

The emergency and extended repairs are categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15269 (emergency repair to this public facility is necessary to maintain service essential to the public, health and welfare) and § 15301 (Existing Facilities). The extended repairs would result in minor alterations to existing public facilities involving no significant expansion of the existing use. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. There are adequate utilities and public services to serve the project.

This item was carried over from the June 19, 2019 6:00 p.m. Special Meeting Open Session.

**Action Taken:** The City Council (1) adopted Resolution No. 12088 declaring an emergency and authorizing contracting without the need for bidding pursuant to Public Contracts Code §§ 20168 and 22050; (2) authorized the City Manager to (a) execute a public works contract between the City of Monterey Park and a qualified contractor(s), for wastewater main, water main, and asphalt repairs in the alley east of Atlantic Blvd. between El Mercado and El Portal, in a form approved by the City Attorney; and (b) appropriated funds from the Wastewater and Water Capital accounts from the current fiscal year budget to cover the cost of these repairs; and (3) authorized the Director of Public Works to approve change orders and contingency as appropriate up to 15% of the contract amount for this project.

**Motion:** Moved by Mayor Pro Tem Liang and seconded by Council Member Lam carried by the following vote:

Ayes:	Council Members:	Lam, Real Sebastian, Ing, Liang, Chan
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

**Resolution No. 12088**, entitled:

A RESOLUTION ADOPTED PURSUANT TO PUBLIC CONTRACTS CODE § 20168 FINDING THAT AN EMERGENCY EXISTS WITHIN THE CITY AND AUTHORIZING CONTRACTING WITHOUT THE NEED FOR BIDDING PURSUANT TO § 22050 AND MONTEREY PARK MUNICIPAL CODE ("MPMC") CHAPTER 2.52 AND FINDING THAT THE PROJECT IS EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AS AN EMERGENCY REPAIR

## **1. PRESENTATION**

### **1A. ECONOMIC DEVELOPMENT UPDATE**

Provide update on various approved projects within the City including, for example, Courtyard by Marriot and Market Place.

**Discussion:** Economic Development Project Manager Welch provided a PowerPoint presentation on various project.

### **RECESSED AND RECONVENED**

The City Council recessed at 9:00 p.m. and reconvened with all council members present at 9:12 p.m.

## **2. OLD BUSINESS**

### **2A. RECOMMENDATIONS FOR ADOPTION OF FISCAL YEAR 2019-2020 ANNUAL BUDGET**

The City Council conducted public budget hearings on May 28 and May 29, 2019 regarding the City's current finances, projected revenues, and financial obligations. The budget for 2019-2020 presents a spending plan that anticipates \$104.6 million in estimated operating revenues and transfers-in from all funds combined and \$110.1 million in operating, capital improvement expenditures and transfers-out. Financial matters, including the potential impact from the pension cost increases, the State mandate minimum wage requirement, staffing realignment and changes, mitigation strategies for pension and retiree medical unfunded liabilities, economic development projects, and goals and objectives associated with the City budget, were presented and discussed at the hearing.

**Action Taken:** The City Council adopted by Resolution No. 12089 the City's and Successor Agency's Fiscal Year 2019-2020 Annual Budget as presented on May 28 and May 29, 2019, City Manager's recommended budget incorporated with Council's directions to approve option 2 from the PowerPoint presentation (attached hereto) as amended to give the City Manager discretion to hire an Assistant City Manager or Assistant to the City Manager on the basis of qualification; to hire 2 part time Animal Services Officers; and to allow Langley extended weekends hours from 2:00 p.m. – 5:00 p.m. (8 hours).

**Motion:** Moved by Mayor Pro Tem Liang and seconded by Mayor Chan carried by the following vote:

Ayes:	Council Members:	Lam, Real Sebastian, Liang, Chan
Noes:	Council Members:	Ing
Absent:	Council Members:	None
Abstain:	Council Members:	None

**Resolution No. 12089 / SA-169**, entitled:

A RESOLUTION ADOPTING THE FISCAL YEAR 2019-2020 FINAL OPERATING BUDGET FOR THE CITY OF MONTEREY PARK AND THE SUCCESSOR AGENCY TO THE MONTEREY PARK REDEVELOPMENT AGENCY; AND ADOPTING THE 2019-2020 CAPITAL IMPROVEMENT BUDGET

**3. CONSENT CALENDAR ITEMS NOS. 3A-3F**

Matters listed under consent calendar are considered to be routine, ongoing business and are enacted by one motion unless specified.

**Action Taken:** The City Council and the City Council, acting on behalf of the Successor Agency, approved and adopted Items Nos. 3A, 3B, 3C, and excluding Item Nos. 3D, 3E and 3F, which were pulled for separate discussion.

**Motion:** Moved by Mayor Pro Tem Liang and seconded by Council Member Lam motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan  
Noes: Council Members: None  
Absent: Council Members: None  
Abstain: Council Members: None

**3A. SUCCESSOR AGENCY MONTHLY INVESTMENT REPORT – MAY 2019**

As of May 31, 2019 invested funds for the Successor Agency of the City of Monterey Park is as follows:

• Successor Agency (SA) Checking	103,318.45
• Successor Agency (SA) RORF	<u>69,190.00</u>
Total	<u>\$ 172,508.45</u>

**Action Taken:** The City Council and the City Council, acting on behalf of the Successor Agency, received and filed the Monthly Investment Report on Consent Calendar.

**3B. WARRANT REGISTER FOR THE CITY OF MONTEREY PARK OF JUNE 19, 2019**

Disbursements will be made from the funds referenced in the attached Resolution in Warrants numbered 324096-324189 and ACH numbered 000574-000597.

**Action Taken:** The City Council approved payment of warrants and adopted Resolution No. 12090 allowing certain claims and demands per Warrant Register dated June 19, 2019 totaling \$349,337.99 specifying the funds out of which the same are to be paid on Consent Calendar.

**Resolution No. 12090**, entitled:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTEREY PARK, CALIFORNIA ALLOWING CERTAIN CLAIMS AND DEMANDS PER WARRANT REGISTER DATED JUNE 19, 2019 TOTALING \$349,337.99 SPECIFYING THE FUNDS OUT OF WHICH THE SAME ARE TO BE PAID

**3C. MONTHLY INVESTMENT REPORT – MAY 2019**

As of May 31, 2019 invested funds for the City of Monterey Park is \$97,043,629.88.

**Action Taken:** The City Council received and filed the monthly investment report on Consent Calendar.

**3D. CONSIDERATION AND POSSIBLE ACTION TO WAIVE SECOND READING AND ADOPT A REGULAR ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE (“MPMC”) §§ 4.20.060 AND 4.30.180 GOVERNING FINES AND THE URGENCY ABATEMENT OF PUBLIC NUISANCES TO RECOVER COSTS INCURRED RESULTING FROM DISPOSAL OF ILLEGAL FIREWORKS AND ADDING A NEW § 4.20.200 FOR HARDSHIP WAIVERS AS REQUIRED BY CALIFORNIA LAW**

On June 5, 2019, the City Council introduced and waived first reading of an ordinance amending Monterey Park Municipal Code (“MPMC”) §§ 4.20.060 and 4.30.180 governing fines and the urgency abatement of public nuisances to recover costs incurred resulting from disposal of illegal fireworks and adding a new § 4.20.200 for hardship waivers as required by California law. Second reading and adoption of this ordinance is recommended; the ordinance will become effective 30 days after adoption.

**Action Taken:** The City Council waived second reading and adopted Ordinance No. 2163.

**Motion:** Moved by Mayor Pro Tem Liang and seconded by Council Member Ing motion carried by the following vote:

Ayes:	Council Members:	Lam, Real Sebastian, Ing, Liang, Chan
Noes:	Council Members:	None
Absent:	Council Members:	None
Abstain:	Council Members:	None

**Ordinance No. 2163**, entitled:

AN ORDINANCE AMENDING MONTEREY PARK MUNICIPAL CODE §§ 4.20.060 AND 4.30.180 GOVERNING FINES AND THE URGENCY ABATEMENT OF PUBLIC NUISANCES TO RECOVER COSTS INCURRED RESULTING FROM DISPOSAL OF ILLEGAL FIREWORKS; AND ADDING A NEW § 4.20.200 FOR HARDSHIP WAIVERS AS REQUIRED BY CALIFORNIA LAW

**3E. MEMORANDA OF UNDERSTANDING BETWEEN THE CITY OF MONTEREY PARK AND THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA FOR EL NIÑO PREPAREDNESS PROJECTS AT THREE AREAS NEAR GARVEY RESERVOIR**

On November 18, 2015 the City Council adopted a resolution declaring an emergency and authorizing the City Manager to enter into an agreement with the Metropolitan Water District of Southern California (MWD) to cooperate and coordinate emergency preparedness efforts to help protect public health and property from potential impacts of El Niño storm events.

In an effort to continue to protect public health and property from potential impacts of winter storm events as experienced over the past storm season and to complete projects identified through the previous efforts, City staff and MWD staff recommends that the two parties enter into the proposed Memorandums of Understanding (MOUs).

**CEQA (California Environmental Quality Act):**

The preparedness projects were reviewed pursuant to the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"). Based upon that review, the preparedness projects are exempt from further review pursuant to CEQA Guidelines § 15269(a) because the protection of public and private property is necessary to maintain service essential to the public, health and welfare.

**Action Taken:** Mayor Chan left the dais and did not participate in the discussion due to a potential conflict of interest as he resides within 500 feet of the project site. The City Council authorized the City Manager to execute three Memoranda of Understanding between the City of Monterey Park and the Metropolitan Water District of Southern California for El Niño Preparedness projects at three areas near Garvey Reservoir, in a form approved by the City Attorney as amended to look into adding additional language regarding landscape and maintenance.

**Motion:** Moved by Mayor Pro Tem Liang and seconded by Council Member Real Sebastian motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang  
Noes: Council Members: None  
Absent: Council Members: Chan  
Abstain: Council Members: None

**3F. AWARD OF MAINTENANCE AGREEMENT FOR BOULEVARD MEDIAN LANDSCAPING TO MARIPOSA LANDSCAPES, INC.**

On March 6, 2019, the City Council awarded a contract to Quality Sprayers, Inc., to provide landscape and irrigation maintenance to citywide boulevard medians and various other landscape areas. Quality Sprayers, Inc. was the lowest responsive bidder based on the bids received in February 2019. The City terminated this agreement for convenience on May 31, 2019. Staff recommends that the City enter into a new maintenance agreement with Mariposa Landscapes, Inc., which was the next lowest responsive bidder.

- David Hall, Vice President of Mariposa, provided a brief overview and his company and was available for question.

**Action Taken:** The City Council authorized the City Manager to execute a three year agreement, in a form approved by the City Attorney, with Mariposa Landscapes, Inc., for an amount not to exceed \$353,952 for Boulevard Median Landscaping; and Authorizing the Director of Public Works to approve change orders up to \$17,697.60 (up to 5% of the agreement amount).

**Motion:** Moved by Mayor Pro Tem Liang and seconded by Council Member Lam motion carried by the following vote:

Ayes: Council Members: Lam, Real Sebastian, Ing, Liang, Chan  
Noes: Council Members: None  
Absent: Council Members: None  
Abstain: Council Members: None

**4. PUBLIC HEARING**  
None.

**5. NEW BUSINESS**  
None.



**6. COUNCIL COMMUNICATIONS AND MAYOR/COUNCIL AND AGENCY MATTERS**

Council Member Lam has nothing to report.

Council Member Real Sebastian has nothing to report.

Council Member Ing has nothing to report.

Mayor Pro Tem Liang has nothing to report.

Mayor Chan reported the cancellation of the July 17 council meeting, the Mayoral Installation is scheduled for July 22 and he will chair his last meeting on July 3. He said he held a town hall meeting at Langley Center, attended the East Los Angeles College Annual President's banquet, and House Speaker Nancy Pelosi's visit to East Los Angeles College to speak on health care on June 17.

**7. CLOSED SESSION**  
None.

**ADJOURNMENT**

There being no further business for consideration, the meeting was adjourned at 10:47 p.m.

  
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Vincent D. Chang  
City Clerk

*Approved on August 7, 2019 at the Regular City Council Meeting*